THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.17329 of 2007

Between:

K.Adinarayana Achari.

.. PETITIONER

and

The District Collector cum Chairman/
Convenor of Scrutiny Committee,
Kurnool and others.

.. RESPONDENTS

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ORDER:

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The petitioner questions the order of the 1st respondent, dated 29-07-2007, in cancelling the Scheduled Tribe Caste Certificate issued in his favour on 10-10-1977 on the ground that he fraudulently obtained the said Certificate, though he does not belong to Scheduled Tribe, but belongs to BC-B.

It is the case of the petitioner that as per the Circulars and Rules, he obtained the Scheduled Tribe Caste Certificate in the year 1977 treating that Caste "Kammara" comes under Scheduled Tribes. Therefore, he has not committed any fraud in obtaining the said Caste Certificate. However, pursuant to the clarification that Caste "Kammara" would not come under Scheduled Tribes, he obtained Caste Certificates of his children under BC-B.

It is further stated that the petitioner filed an appeal along with stay application before the 5th respondent and the same are pending.

As the appeal along with stay application are pending before the 5th respondent, without expressing any opinion as to the merits of the case, I am of the opinion that it is just and proper to direct both the parties to maintain status-quo with regard to the Caste of the petitioner, pending disposal of the appeal.

Accordingly, the writ petition is disposed of directing the 5th respondent to consider and dispose of the appeal as expeditiously as possible. Pending disposal of the appeal, status-quo obtaining as on today shall be maintained with regard to the Caste of the petitioner. There shall be no order as to costs.

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30-08-2007

Note:
Issue C.C. in two days

(B/o)
Prv